



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ke-Wen DONG, et al  
Title: RECOMBINANT BIOLOGICALLY ACTIVE  
HUMAN ZONE PELLUCIDA PROTEINS 3  
(H3P3) TO TEST MAIL FERTILITY  
Appl. No.: 09/252,828  
Filing Date: 02/19/1999  
Examiner: Lisa V. Cook  
Art Unit: 1641

**RECEIVED**

OCT 03 2002

TECH CENTER 1600/2900

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated August 27, 2002, Applicants hereby elect, with traverse, the claims of Group I, claims 48-49, 57-60, and 63-64.

**REMARKS**

Applicants traverse the restriction requirement for the following reasons.

**The pending claims have already been examined once**

Applicants wish to bring to the Examiner's attention that prior to the filing of the CPA, which essentially only renumbered the claims without making any substantive changes, the Examiner has already searched the claims and issued a final Office Action, dated January 15, 2002, in which the Examiner withdrew a similar previous restriction requirement. To highlight this fact, applicants attach hereto as Appendix I, a redlined version comparing the pending claims with the claims that were pending prior to the filing of the CPA.